

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MICHEAL J. QUATTROCCHI and) CIVIL ACTION NO. 8:06CV535
JEANETTE M. QUATTROCCHI,)
)
Plaintiffs,)
vs.)
)
ALBERTO R. GONZALES, in his official)
capacity as United States Attorney General;)
UNITED STATES OF AMERICA; FIRST)
MORTGAGE COMPANY, L.L.C., an)
Oklahoma limited liability company;)
WASHINGTON MUTUAL BANK, a federal)
savings association; TIER ONE)
CORPORATION, a Wisconsin corporation;)
FIRST NEBRASKA TITLE AND ESCROW)
CO., a Nebraska corporation; and)
COMMONWEALTH LAND TITLE)
INSURANCE COMPANY, a Pennsylvania)
corporation,
)
Defendants.)

ORDER OF JUDGMENT
AS TO THE FIRST AND THIRD
CAUSES OF ACTION

THIS MATTER is before the Court on the January 5, 2007 stipulation of all the parties to the First and Third Causes of Action in the Complaint in the above-stated matter (the "Stipulation"). The Court, being duly advised in the premises, finds that the Stipulation should be sustained and approved, and that final judgment should be entered as to the First and Third Causes of Action according to the terms of the Stipulation.

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED that the Stipulation is hereby sustained and approved.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED:

- a. The Plaintiffs are the fee simple owners of Lot 6, Block 8, Twinridge Addition, an Addition to the City of Omaha, Nebraska, as surveyed, platted, and recorded in Douglas County, Nebraska, more commonly known as 4323 Hickory Street (the "Real Estate") in joint tenancy with right of survivorship.
- b. The Real Estate is subject to the following liens of the Defendants in order of priority from highest to lowest:
 - i. first, a lien in favor of Defendant Washington Mutual Bank for the outstanding indebtedness secured by the WaMu Deed of Trust (as defined in the Stipulation), to a maximum of \$128,028.80;
 - ii. second, a lien in favor of Defendant United States of America for the outstanding indebtedness on its August 6, 2003 Judgment (as defined in the Stipulation) recorded in instrument #2003157424 in the Douglas County, Nebraska Register of Deeds office, as set forth in the Stipulation;
 - iii. third, a lien in favor of Defendant Washington Mutual Bank for any remaining indebtedness secured by the WaMu Deed of Trust (as defined in the Stipulation) above \$128,028.80; and
 - iv. fourth, a lien in favor of Defendant First Mortgage Company, L.L.C., for the outstanding indebtedness secured by the First Mortgage Deed of Trust (as defined in the Stipulation).
- c. Title to the Real Estate is quieted and confirmed in the Plaintiffs, subject to the liens as stated above.

d. Plaintiffs' prayer to enjoin the Defendants from asserting any claim of interest in the Real Estate is denied.

e. This Judgment is a final determination of the First and Third Causes of Action and resolves all disputes to which Defendants United States of America and Washington Mutual Bank are a party.

DATED this 10th day of January, 2007.

BY THE COURT:

/s/ Lyle E. Strom

U.S. District Court Judge, District of Nebraska

Jointly submitted by:

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